

1 BILL NO. S-87-11-15

2 ORDINANCE NO. S-289-87

3 ORDINANCE APPROVING THE SALE OF REAL PROPERTY
4 BY THE CITY OF FORT WAYNE, INDIANA

5 WHEREAS, the Board of Public Works and Safety as disposing
6 agent for the City of Fort Wayne, Indiana, held a public hearing and
7 has recommended to the Mayor and this Common Council that the City
8 of Fort Wayne dispose of real property and improvements located
9 thereon located at 1605 Winter Street, Fort Wayne, Indiana, the
10 legal description of which is attached hereto as Exhibit "A"; and

11 WHEREAS, the Mayor has approved of the disposal of said
12 property based upon the recommendation of the Board of Public Works
13 and Safety; and

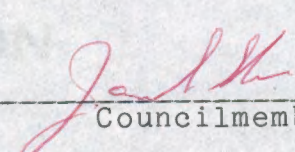
14 WHEREAS, pursuant to I.C. 36-1-11-3, this Common Council
15 must approve of the disposal of said property.

16 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE
17 CITY OF FORT WAYNE:

18 SECTION 1. This Common Council hereby approves, as
19 required by I.C. 36-1-11-3, the disposition of the real estate and
20 improvements located thereon described on the attached Exhibit "A",
21 as recommended by the Mayor and the Board of Public Works and Safety
22 as disposing agent for the City of Fort Wayne, Indiana.

23 SECTION 2. The terms of said disposition of property shall
24 be those as submitted by the successful bidder, the terms of which
25 are contained on the attached Exhibit "B".

26 SECTION 3. This Ordinance shall be in full force and
27 effect from and after its passage and approval by the Mayor.

28
29 
30 Councilmember

31 APPROVED AS TO FORM AND LEGALITY.

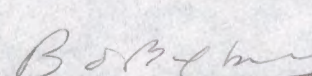
32 
Bruce O. Boxberger, City Attorney

EXHIBIT "A"

PARCEL "A"

Part of the East Half of the Northeast Quarter of Section 12, Township 30 North, Range 12 East, in the City of Fort Wayne, Allen County, Indiana, more particularly described as follows, to-wit: Beginning on the West line of the East half of said Northeast Quarter at a point situated 408.4 feet South of the point of intersection of said West line with the South right-of-way line of the Norfolk & Western Railroad (formerly the Wabash Railroad); thence South, on and along said West line, a distance of 253.1 feet to the Northwest corner of a 3.19 acre tract of land conveyed to Jerome F. Henry, Jr. and Rebecca J. Henry by deed dated December 13, 1983; thence Easterly, by an interior angle of $90^{\circ}-42'$, on and along the North line of said 3.19 acre tract, a distance of 616.8 feet (recorded 614.87 feet) to the Northeast corner of said 3.19 acre tract, being a point on the West right-of-way line of Winter Street; thence Northerly, by an interior angle of $89^{\circ}-46'$, on and along said West right-of-way line, a distance of 267.3 feet to a survey pin found; thence Westerly, by an interior angle of $88^{\circ}-55'$, on and along a line established by a survey monuments found, a distance of 619.0 feet to the point of beginning, containing 3.691 acres of land (160,767 square feet), subject to all easements of record.

PARCEL "B":

Lot Numbered 7 on the plat of General Electric Company Addition to the City of Fort Wayne, according to the plat thereof recorded in Plat Record 14, page 42, in the Office of the Recorder of Allen County, Indiana, containing 6.166 acres of land (268,604 square feet), subject to all easements and limitations of record, and more commonly known as the General Electric Winter Street Plant.

Read the first time in full and on motion by Stu, seconded by Redd, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ .M., E.S.T.

DATE: 11-24-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Stu, seconded by Redd, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>7</u>	<u> </u>	<u>1</u>	<u>1</u>	<u> </u>
<u>BRADBURY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>EISBART</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>HENRY</u>	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>	<u> </u>
<u>REDD</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT</u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>
<u>STIER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 12-1-87

Nadje E. Eschhoff
SANDRA E. KENNEDY, CITY CLERK
Deputy

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~) (~~SPECIAL~~) (ZONING MAP) ORDINANCE (RESOLUTION) NO. I-289-87 on the 1st day of December, 1987.

ATTEST:

(SEAL)

Nadje E. Eschhoff
SANDRA E. KENNEDY, CITY CLERK
Deputy

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 2nd day of December, 1987, at the hour of 10:00 o'clock A.M., E.S.T.

Nadje E. Eschhoff
SANDRA E. KENNEDY, CITY CLERK
Deputy

Approved and signed by me this 2nd day of December, 1987, at the hour of 11:30 o'clock A.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

BILL NO. 87-11-15

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) APPROVING THE SALE OF
REAL PROPERTY BY THE CITY OF FORT WAYNE, INDIANA

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~RESOLUTION~~)

YES

NO

BEN A. EISBART
CHAIRMAN

JAMES S. STIER
VICE CHAIRMAN

CHARLES B. REDD

DONALD J. SCHMIDT

SAMUEL J. TALARICO

CONCURRED IN

12-1-87

SANDRA E. KENNEDY
CITY CLERK



The City of Fort Wayne

November 2, 1987

Board of Public Works and Safety
City of Fort Wayne
c/o Helen Gochenour, Clerk
City-County Building
Fort Wayne, Indiana

Re: Sale of 1605 Winter Street

Dear Ms. Gochenour:

The purpose of this letter is to designate the Board of Public Works and Safety of the City of Fort Wayne as disposing agent for the City of Fort Wayne, Indiana, for the purpose of disposing of the real estate known as 1605 Winter Street, Fort Wayne, Indiana, and more commonly known as the G.E. Winter Street Plant. The Board of Public Works and Safety is herein designated to give notice, conduct the public hearing and perform all other functions required by I.C. 36-1-11-1 et seq.

Thank you for your assistance.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Win C. Moses, Jr.", is written over a horizontal line.

Win C. Moses, Jr., Mayor

WCM:ls



The City of Fort Wayne

November 30, 1987

Honorable Win C. Moses, Jr., Mayor
City of Fort Wayne
9th Floor - City-County Building
Fort Wayne, Indiana 46802

Re: Sale of 1605 Winter Street

Dear Mayor Moses:

Pursuant to your letter of November 2, 1987, the Board of Public Works and Safety has given notice, conducted a public hearing and received bids for the sale of 1605 Winter Street, Fort Wayne, Indiana.

Attached hereto is the Resolution of the Board of Public Works and Safety recommending the disposition of said property to Jerome F. Henry, Jr. Upon your approval and the approval of the Common Council, the Board of Public Works and Safety will complete the sale.

Very truly yours,

A handwritten signature in cursive script, reading "Helen Gochenour".

Helen Gochenour, Clerk
Board of Public Works and Safety
City of Fort Wayne

HG:ls



The City of Fort Wayne

November 30, 1987

Board of Public Works and Safety
c/o Helen Gochenour, Clerk
9th Floor - City-County Building
Fort Wayne, Indiana 46802

Re: Sale of 1605 Winter Street

Dear Ms. Gochenour:

I am in receipt of your letter of November 30, 1987, and the Resolution of the Board of Public Works and Safety of the City of Fort Wayne, Indiana, recommending approval of the disposition of 1605 Winter Street to Jerome F. Henry, Jr. pursuant to the terms of his bid for said property.

Please accept this letter as my approval for the disposal of said property to Mr. Henry pursuant to the terms of his bid.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Win C. Moses, Jr.", is written over a circular stamp.

Win C. Moses, Jr., Mayor

WCM:ls

RESOLUTION OF THE BOARD OF PUBLIC WORKS AND SAFETY
OF THE CITY OF FORT WAYNE, INDIANA

WHEREAS, this Board of Public Works and Safety of the City of Fort Wayne, Indiana ("Board") has published notice pursuant to I.C. 5-3-1 and I.C. 36-1-11-4 relative to the possible disposition by the City of Fort Wayne of the real estate described on the attached Exhibit "A"; and

WHEREAS, a public hearing was held on November 25, 1987, at 9:00 a.m., concerning the advisability of disposing of said property, at which time, evidence was received concerning the deteriorating condition of the property and its lack of benefit or value to the City of Fort Wayne; and

WHEREAS, this Board also received bids for the acquisition of said property until 9:00 a.m. on November 25, 1987; and

WHEREAS, this Board received one bid from Jerome F. Henry, Jr. or his assign offering to purchase said property for the sum of One Hundred Thousand Dollars (\$100,000); and

WHEREAS, the bid submitted is greater than ninety percent (90%) of the appraised value of the property and complies with the bid specifications; and

WHEREAS, it is the desire of this Board to recommend to the Mayor and the Common Council that the City dispose of said property and that it accept the bid of Jermone F. Henry, Jr.;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

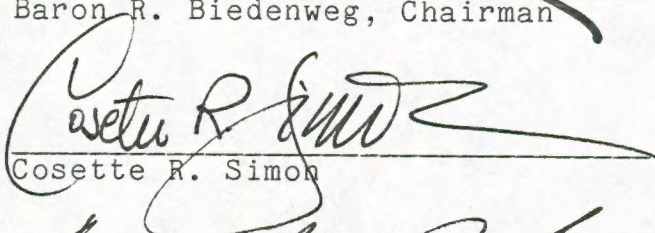
SECTION 1. The Board hereby finds, based upon the evidence received at the public hearing held on November 25, 1987, at 9:00 a.m., that it is in the best interests of the City of Fort Wayne to dispose of the property described on the attached Exhibit "A".

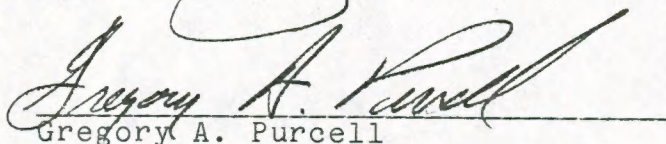
SECTION 2. The Board further finds that the bid received by the Board from Jerome F. Henry, Jr. is the highest and best bid and complies with the terms of the bid specifications, and further that the bid price is greater than ninety percent (90%) of the appraised value of said property.

SECTION 3. The Board hereby recommends to the Mayor and the Common Council that it approve of the disposition of the said property to Jerome F. Henry, Jr., pursuant to the terms of his bid.

Dated this 25th day of November, 1987.


Baron R. Biedenweg, Chairman


Cosette R. Simon


Gregory A. Purcell

OFFER TO PURCHASE

TO: Board of Public Works and Safety
City of Fort Wayne
City-County Building, Room 920
One Main Street
Fort Wayne, IN 46802

1. The undersigned hereby offers to purchase from the City of Fort Wayne, Board of Public Works and Safety, the following described real estate situated in the City of Fort Wayne, Indiana:

PARCEL "A"
PARCEL "B"

for the sum of \$100,000.00 and tenders herewith an earnest money deposit of \$5,000.00; provided, however, that in the event this offer is not accepted within sixty (60) days of the date of bid review, I shall have the option of withdrawing this offer and securing the return of earnest money deposit, and, providing further, that in the event another offer for the parcels bid upon herein is accepted by the Board of Public Works and Safety, the earnest money deposit shall be returned within ten (10) days of such acceptance.

2. What is the size and character of the improvements proposed to be made by the bidder on the real estate?

See Attachment

3. What are the bidder's plans and ability to improve the real estate with reasonable promptness including any evidence as to the availability of necessary financing?

See Attachment

4. What is the use proposed to be made of the real estate?

See Attachment

I further understand and agree that we will not discriminate upon the basis of race, color, religion, sex or national origin in the sale, lease or in the use or occupancy of the property or any improvements located thereon, or any part thereof.

I understand that the real estate which I am offering to purchase is to be used solely in accordance with the land use purposes as proposed by the City of Fort Wayne Zoning Ordinances.

IN WITNESS WHEREOF, the undersigned has caused its name and seal to be subscribed this 23rd day of November, 1987.

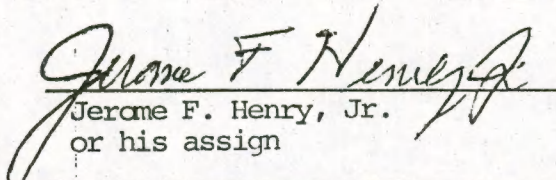
 (SEAL)
Jerome F. Henry, Jr.
or his assign (SEAL)

EXHIBIT "B"
to Bill No. S-87-11-15

ATTACHMENT TO EXHIBIT "C" OF THE OFFER TO PURCHASE

1. As the result of several years of vacancy and neglect, the Winter Street General Electric facility (the "Facility") has seriously deteriorated. If appropriate action is not immediately taken to reverse the process of deterioration, the Facility and surrounding neighborhood will suffer irreversible damage.

2. I intend to make substantial improvements to the Facility. The entire roof of the building and the substructure below the roof will be replaced. The entire building will be sided with steel siding. All broken windows will be replaced and the boundary fence will be repaired. Security lights will be installed around the parking lot and the interior of the building will be thoroughly cleaned. Improvements estimated at \$125,000.

3. I have obtained commitments from a local lending institution to finance the purchase of the Facility and a majority of the planned improvements. I will finance the remaining improvements to the extent that they are not performed by the employees of Midwest Pipe and Steel, Inc. ("Midwest").

4. I am the owner of Midwest, a steel trading business located directly across the street from the Facility. Midwest has been operating at its present location for approximately eight (8) years. Substantial funds have been spent in the development of Midwest's physical plant which includes offices, warehouse and storage yard. Midwest currently employs fifteen (15) employees.

During the years Midwest has been located at the Winter Street site, I have acquired several other properties in the immediate area, several of which I lease to other businesses. As a result of my substantial investment in the neighborhood, I have a vested interest in having the Facility maintained in a manner which will stabilize and enhance the neighborhood.

I intend to use approximately twenty-five percent (25%) of the Facility as additional space for the operation of Midwest's business. The remaining seventy-five percent (75%) will be leased to other businesses for storage and light manufacturing purposes. My intent is to provide large areas of space at favorable rental rates for businesses whose needs can be met by the Facility. The use of the Facility by these businesses will provide economic stimulation for the neighborhood, the result of which may be to encourage other business to locate or remain in the area.

5. It is anticipated that within two years the facility will generate fifty (50) additional jobs.